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Written statement* submitted by the public organization "Public Advocacy", a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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On the high responsibility of the Holy Synod of Constantinople Patriarchate and His All-Holiness Patriarch Bartholomew by addressing issues related to religious organizations of Ukraine due to probable large-scale violations of human rights.

NGO "Public Advocacy" is a human rights organization in special consultative status with the UN Economic and Social Council, which enables us to promote the protection of human rights at the UN Human Rights Council as well as participate in meetings and conferences held by various international human rights bodies and mechanisms (our name in the ECOSOC database appears as Public Organization "Public Advocacy"). NGO "Public Advocacy" regularly submits human rights reports to the UN, the EU and other designated committees and commissions established by various international structures whose mandate is to protect human rights and ensure stability throughout the world.

We directly represent the interests of Orthodox communities and believers in the courts and law enforcement agencies of Ukraine, supply information on the situation of Orthodoxy in Ukraine to the OSCE and the UN Human Rights Council.

We draw your attention to the fact that since 2015, over 40 temples belonging to the Ukrainian Orthodox Church have been illegally seized; many churches have been subject to arson, whereas believers have been beaten up by representatives of radical organizations and power units of the governmental authorities1.

Unfortunately, despite our appeals to state bodies, they fail to ensure legal protection to believers, let criminals go unpunished, and pursue an outspoken discriminatory policy towards Orthodox believers. Senior civil servants often resort to hate speech in relation to the Ukrainian Orthodox Church, accusing it of aiding Moscow.

According to our observations, based on the evidence and testimonies of eyewitnesses, clerics of the religious organization of the "Kyiv Patriarchate", unrecognized by Ecumenical Orthodoxy, as well as members of radical organizations, who are indirectly or directly supported by the authorities, account in many cases for inciting religious animosity towards Orthodox Christians.

The statements of the President of Ukraine and the decisions of the Parliament, numerous visits of diplomatic delegations of Ukraine to Istanbul, meetings of state officials with the Patriarch of Constantinople allow us to conclude that this issue is no longer an internal matter of the Church. The hierarchy and believers of the Ukrainian Orthodox Church are subjected to the intensified political and administrative pressure aimed at forcing them to accept the SLC project in the format which is considered proper by the presidential political circles.

In particular, the President of Ukraine stressed2 that he is determined to act very decisively towards the creation of the SLC and to oppose all who will stand in the way of "national interests of Ukraine", the website of the President reports. "This is a matter of national security and our defense in a hybrid war, because the Kremlin views the ROC as one of the key instruments of influence on Ukraine," Petro Poroshenko said. "Therefore, I am very determined to act in this matter. And to counteract all those who will stand in the way of Ukraine's national interests and will try to disrupt cooperation with the Ecumenical Patriarchal Throne," he said.

Currently, the mass media are engaged in disseminating the information that the Patriarchate of Constantinople can grant the canonical status to the schismatic organization "Kyiv Patriarchate" or bestow autocephaly in another way.

1www.protiktor.com/38HRCsession

2http://spzh.news/en/news/52924-poroshenko-prigrozil-vsem-kto-popytajetsya-sorvaty-kooperaciju-po-jepc

As a matter of fact, leader of the religious confession of the UOC-Kyiv Patriarchate Filaret Denisenko alongside a number of hierarchs of this faith, without any grounds or evidence, publicly accuse the Ukrainian Orthodox Church of propagating the "Russian world", voicing statements that that the status of the UOC can be changed to "exarchate". Furthermore, the Kyiv Patriarchate openly and publicly declares that the Patriarchate of Constantinople practically promised to grant the canonical status to the Kyiv Patriarchate. In particular, head of the Kyiv Patriarchate Filaret (M. Denisenko) made this statement in the European Parliament on May 2, 2018: "We hope that after receiving the Tomos on autocephaly of the Ukrainian Church there will be one Orthodox Church in Ukraine, and the Moscow Church, if refusing to unite with the Ukrainian Church, will be called an Exarchate of the Russian Church in Ukraine rather than the Ukrainian Church ... As for the Lavra, it will belong to the Ukrainian Church, because it is the Church of Ukraine and it cannot belong to the Russian Church ... Now we can see that Patriarch Bartholomew is resolute and **determined to solemnly proclaim the Tomos of autocephalous status, to recognize our Church, and enter into communion with it**.

In a number of cases, the clerics of this denomination initiate power clashes around the UOC temples and openly demonstrate a negative and hostile attitude towards Orthodox believers. Numerous proofs of such actions are contained both in the information space and reports of human rights organizations. All these facts testify not only to the inter-faith tension in the country, but also to the use of the state administrative resource, which publicly and openly supports aggression against the Ukrainian Orthodox Church.

A marker of aggressively hostile propaganda towards Orthodox believers of the UOC is that personal data of the hierarchs of the Ukrainian Orthodox Church – Chancellor of the UOC Metropolitan Anthony (Pakanich), head of the UOC Representation to European Organizations Bishop Victor (Kotsaba), deputy chairman of the Department for External Church Relations of the UOC Prot. Nikolai Danilevich, and priest AlekseiZoshchuk – were published on Mirotvorets (Peacemaker) site.

As you know, the activity of this site is provocative, as it publishes personal data, the placement of which without the consent of the owner is a criminal offense in accordance with Article 182 of the Criminal Code of Ukraine. Besides, given the nature of the activity of this information resource, publishing personal data of church hierarchs testifies to incitement of religious enmity towards Orthodox believers.

It should be noted that the activities of Metropolitan Anthony (Pakanich) of Borispol and Brovary, Bishop Victor (Kotsaba) of Baryshevka, Protopriest Nikolai Danilevich, as well as priest Aleksei Zoshchuk, are qualified as the work of human rights defenders. ***This fact certainly will not go unnoticed by the international community and the state of Ukraine will have to make efforts to eliminate this offense as quickly as possible; otherwise it will serve as an evident proof of the anti-European and anti-legal policies of the ruling politicians in Ukraine.***

We are deeply convinced that the discussion of the issue regarding, as well as the adoption of any decisions regarding Orthodoxy in Ukraine, is not possible until conflicts around the temples of the Ukrainian Orthodox Church have been put to an end, and those guilty of crimes against Orthodox Christians have been brought to justice. State bodies of the highest level should provide real guarantees of observance of the rights of the UOC believers and confirm through specific actions that Orthodox Christians can enjoy real protection. Unfortunately, this is not the case at the moment, and any wrong conduct or promise given by the Patriarchate of Constantinople or its representatives can step up the activity of radical structures in Ukraine and entail new clashes.

In fact, since the Holy Synod of the Patriarchate of Constantinople made a decision to consider the issue in relation to the Orthodox Church in Ukraine, radical organizations have immediately increased their activity and started preparations for the capture of the UOC shrines, while politicians of different scales have intensified agitation in all directions.

We draw attention of UN HRC to the fact that the legal and spiritual responsibility for probable clashes, human toll and afflictions of believers will be borne by persons whose actions, rash statements or pledges may provoke new conflicts and clashes on religious grounds in the country.

At the same time, taking advantage of the high rostrum of the United Nations, we urge the Holy Synod of the Patriarchate of Constantinople and His All Holiness Patriarch Bartholomew to refrain from any decisions on the establishment of a Single Local Church, autocephaly or taking religious organizations in Ukraine under omophorion, because such decisions will result in clashes on the religious ground and finally undermine the religious peace in Ukraine.

We draw your attention to the fact that any action of the Holy Synod of the Patriarchate of Constantinople, statements of His All Holiness Patriarch Bartholomew on the Ukrainian issue, as well as public demonstration of the consideration of petitions on Ukrainian issues may entail violations of the rights of believers in Ukraine.